

Archaeological and Historical Clearance Process for the TEA Program

- I. **Policy 1:** If the project impacts **less than ½ acre** (21,780 square feet or .20 hectares) of **undisturbed land** within the existing or proposed right-of-way, then employ the following in-house clearance process with the Wisconsin Department of Transportation (WisDOT):
- a. Applicant and/or applicant-hired consultant firm (Project Manager (PM)) needs to send a completed **Concept Definition Report** (CDR) (website attached below) in combination with a report that comes complete with project information and description, project location map, site plan, and existing and proposed typical design cross-sections (**website with pdf attached below**) to:
Lynn Cloud
Wisconsin Department of Transportation
Bureau of Environment and Equity Services
4802 Sheboygan Avenue, Room 451
P.O. Box 7965
Madison, WI 53707-7965.
Lynn's telephone number is (608) 266-0099 and please inform her that a TEA project request is forthcoming complete with a CDR and project narrative report for her to initiate the literature review process with the Wisconsin Historical Society-Museum Archaeology Program (WHS-MAP) and with the Wisconsin Historical Society-State Historic Preservation Office (WHS-SHPO).
 - b. WisDOT will assign a temporary project id number that tracks and monitors project progress with WHS-MAP and WHS-SHPO.
 - c. Lynn Cloud will forward all materials to the WHS-MAP section for screening. Lynn asks WHS-MAP for a determination whether the project can be cleared (no archaeological site hits) for construction or whether an archaeological and historical survey is required (site hit(s) do occur).
 - d. MAP reviews project request against the standard statewide archaeological data base, WisHARD, other historical files, maps, relevant papers, etc. and makes a determination, to Lynn, if any potential sites exist in the project area. Projects are reviewed in the order received except that borrow and excess land parcel projects always take priority. On a clean project, one with no archaeological or historical hits, the review process by MAP takes upwards to 1-hour to complete. Projects generating any archaeological or historical hits are referred to WisDOT's Bureau of Environmental and Equity Services (BEES) Section for formal authorization.

- e. If no archaeological and historical sites exist within the project area, Lynn Cloud will officially clear it and place it on the Screening List meaning the project is a go for construction. This in-house clearance process, from submittal to recommendation, can take up to 60 days to finish.
- f. If any archaeological or historical sites exist nearby the project area (hit(s) found), Lynn Cloud (WisDOT archaeology) and Bob Newbery (WisDOT historical) jointly make a determination on whether an archaeological and historical survey is needed because the project cannot be screened. A certified archaeologist and a certified historian need to be hired to conduct an archaeological survey and a historical survey respectively. Archaeological documents to be prepared include: Archaeological Survey Field Report form will be used when no sites are found and the Technical Report on Archaeological Survey will be used if a potential eligible property is discovered. Historical documents to be prepared include: Architecture/History Survey form. The consultant-driven archaeological and historical review processes can take up to 60 days to complete and should be initiated very early in the application process.

A PDF listing of certified and qualified archaeologists' follows:

http://www.wisconsinhistory.org/archaeology/preserve/pdf/arch_consultants.pdf

A PDF listing of certified and qualified historians follows:

<http://www.wisconsinhistory.org/architecture-history-consultants-list.pdf>

II. **Policy 2:** If a TEA project will be impacting **greater than or equal to .5 acres** (21,780 square feet or .20 hectare), then employ the following review and determination process in coordination with WisDOT:

- a. Applicant in coordination with its locally hired engineering consultant firm (P.E. firm) prepares the **Programmatic Environmental Report (PER)** ([website attached below](#)), conducts all necessary inter-agency coordination if technical assistance is needed to help answer any one of the 18 questions on the PER, and signs the Statement of Certification for Conformance with the PER on the TEA Project. Project Manager needs to establish an Area of Potential Effects (APE). Before an archaeological and historical evaluation can commence, the first step is to establish and define the area of potential effects (APE) to conduct the identification and location of archaeological sites and burial grounds and historic buildings and structures. By archaeological definition, the APE is the existing and proposed transportation project right-of-way. For historical building and structure evaluation, the APE coverage boundaries are defined as lying within ¼ mile radius from the centerline of the proposed transportation improvement project.

- b. Applicant needs to hire a certified archaeologist and a certified historian to conduct a literature and records review utilizing, WisHARD, the archaeological and historic properties database from WHS-MAP and WHS-SHPO and possibly an on-site inspection. These processes seek to determine if any potential archaeological sites and burial grounds and historic buildings and structures exist in the project area and to assist in answering Questions 11 and 12 on the PER.
- c. If no sites exist, all reports, maps, and documentation shall be sent to Lynn Cloud so that the potential TEA project can be reviewed, approved, and cleared by WisDOT and placed on the Screening List. Placement on the Screening List indicates that the project is cleared of any and all archaeological properties and historic structures and is then all set for let and construction. This information should be sent to:

Lynn Cloud
Wisconsin Department of Transportation
Bureau of Environmental and Equity Services
4802 Sheboygan Avenue, Room 451
P.O. Box 7965
Madison, WI 53707-7965.
- d. If any eligible or potentially eligible properties/structures are found, then a certified archaeologist needs to follow-up and prepare an Archaeological Survey Field Report Form or a Technical Report on Archaeological Survey. For historic architectural properties and structures, a certified historian needs to submit an Architecture/History Survey Form. This is the identification stage that covers efforts to locate historic buildings and structures and archaeological sites that could be adversely affected by a TEA project.
- e. Upon completion of the survey process for both archaeology and historical, all documentation should be sent to Lynn Cloud for review and a record of decision. If sites are found and potentially could be significantly impacted and affected by the TEA project, steps are taken to avoid or minimize any adverse effects.
- f. The recommendation results will be communicated to the sponsor and their consultant as it may potentially impact project letting and construction.
- g. **Alternative Methodology** for Conducting Initial Historical Survey:
 - i. The Project Manager (PM), i.e., the applicant's professional engineering consultant firm, can take the lead to conduct the historical survey without the need to hire a certified historian.
 - ii. The PM must begin by establishing the Area of Potential Effects (APE) that by definition the coverage boundaries should lie within

- a ¼ mile radius of the centerline of the existing/proposed transportation facility improvement project. This area always includes the actual site of the project and may also include other areas where the project will cause changes in land use, traffic patterns, setting, or other visual aspects of the environment that could affect historic buildings and structures.
- iii. After defining the APE cordon/coverage boundaries, the best way to proceed is for the PM to provide evidence showing that none of the buildings/structures within the APE are more than 50 years old. Buildings less than 50 years old can be eligible, but they have to possess exceptional significance (such as an imposing building designed by a world famous architect). A PM can provide evidence of recent construction by:
 - 1. Have the local town clerk or building inspector provide specific information regarding building construction dates in the area of potential effects.
 - 2. Have owners of any building or structure provide specific documentation when the buildings were constructed.
 - 3. Copies of aerial maps that show no buildings were present in 1957 or more recently (USGS quad maps illustrating “photo revised since 1972” in purple overstrike) or aerials illustrating older buildings overwhelmed by new construction.
 - iv. Caveat: It is up to the PM to decide if the “Alternative Method” is more work than it is worth, and if the risks of overlooking something are sufficiently small.

III. **Policy 3:** Native American Tribe Outreach

- a. A notification letter on WisDOT letterhead will be sent out to all impacted Tribes located within the county of the proposed TEA project. WisDOT will take the lead to develop and send out this notification letter. A 30-day comment period will be adhered too to give any Tribe sufficient time to react, comment, provide input, or seek information from the WisDOT. WisDOT will initiate this outreach and communication process with impacted Tribes immediately upon receipt of the formal TEA Grant Application.

Overall, the applicant (sponsor) must assume all responsibility for complying with all germane environmental requirements and regulations for the transportation facility improvement, and certify, via a Statement of Certification for Conformance with the PER on TEA Projects that the environmental analysis completed followed all applicable environmental laws. WisDOT approval of a complete and comprehensive environmental analysis appropriate for the level of the transportation facility improvement is required before a Project Agreement can be executed and any reimbursement takes place.

The following website allows access to retrieve the Concept Definition Report on-line with the ability to fill it out, save it as a Word document and forward the completed report to WisDOT:

<http://roadwaystandards.dot.wi.gov/standards/fdm/03/conceptdefinitionreport.doc>

The following website allows access to retrieve a pdf example (Thorp) of the project information, site plan/map, and existing and proposed design cross-sections on-line needed for submittal to Lynn Cloud of WisDOT:

<http://www.dot.wisconsin.gov/localgov/aid/tea.htm>

The following website allows access to retrieve the Programmatic Environmental Report (PER) on-line with the ability to fill it out, save it as a Word document and forward the completed application and environmental report to WisDOT:

<http://www.dot.wisconsin.gov/localgov/aid/tea.htm>

Definitions:

Undisturbed Land- no land has been disturbed in the project area, e.g., Agricultural activities do not constitute disturbance.

Adverse effect- A change to a historic building or structure or archaeological site, which is directly or indirectly caused by the project, that diminishes the property's integrity. Adverse effects on buildings, structures, or sites include: physical destruction, damage, or alteration; isolation from or alteration of the setting; introduction of visual, audible, or atmospheric elements that are out of character; neglect resulting in deterioration or destruction; and transfer, lease, or sale.

Area of potential Effects (APE)- The geographic area or areas within which a highway project may cause changes in the character or use of historic buildings and structures and archaeological sites, if any such properties exist. This area always includes the actual site of the project and may also include other areas where the project will cause changes in land use, traffic patterns, setting or other aspects of the environment that could affect historic buildings and structures and archaeological sites.

Effect- A change to a historic building or structure or archaeological site, which is caused by the project, that may alter characteristics of the property that qualify it for inclusion in the National Register of Historic Places. Effects may include alteration to features of a property's location, setting, or use depending on a property's significant characteristics.

Eligible Property (EP)- Historic building or structure or archaeological site that has been formally determined eligible for the National Register of Historic Places **or** historic building or structure or archaeological site that meets the National Register criteria.

Historic Property- Greater than 50 years old. Buildings less than 50 years old can also be eligible, but they have to possess exceptional significance, i.e., such as an imposing building designed by a world renown architect.

Indian Tribe- This term refers to the governing body of any Native American tribe, band, nation, or other group that is recognized as an Indian tribe by the Secretary of the Interior and for which the United States holds land in trust or restricted status for the entity or its members. Such term also includes any Native village corporation, regional corporation, and Native group established pursuant to the Alaska Native Claims Settlement Act.

Museum Archaeology Program (MAP)- A division in the State Historical Society of Wisconsin that provides archaeological services to WisDOT regions for in-house designed and managed projects through a cooperative agreement between the two agencies. The MAP conducts screening, identification, evaluation, and mitigation studies, provides recommendations regarding the treatment of archaeological properties, and prepares required reports, documents, and interpretative products. The MAP also acts as curator for archaeological collections and associated archival materials generated through the cooperative agreement.

National Historic Landmark- (NHL) This is a special category for an eligible property that has been designated by the Secretary of the Interior because of its national importance in American history, architecture, archaeology, engineering, or culture. The 106 Process affords special protection to NHLs.

National Register of Historic Places (NRHP or National Register)- The nation's inventory of significant historic buildings and structures and archaeological sites. The NRHP is administered by the National Park Service on behalf of the Secretary of the Interior. NRHP listings include buildings, structures, sites, objects, and districts that possess historic architectural, engineering, archaeological, or cultural significance. Properties listed are not limited to those of nationwide significance; most listed properties are significant at the state or local level.

Project Manager (PM)- The individual at the district or with a consulting engineering firm who is responsible for guiding the project through the environmental review and construction. The person who is assigned this responsibility may change over the course of a project.

Survey- Field work and literature search conducted to identify properties of architectural, historical, or archaeological interest that may be affected by a project. Surveys should be completed under the guidance of a principal investigator who meets the Department of the Interior's professional qualification standards (see Secretary's Guidelines).